

Dorothy Menasco

From: Glen Gibellina [glenfede@yahoo.com]
Sent: Monday, July 30, 2012 4:49 PM
To: Filings@psc.state.fl.us
Subject: Re: PETITION TO INTERVENE OF GLEN GIBELLINA
Attachments: Cover letter and Petition.docx

Dear Dorothy Menasco

Hope this does it thanks Glen 941-296-5489 Tried calling line has been busy last 1/2 hour

Glen Gibellina

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From: "Filings@psc.state.fl.us" <Filings@PSC.STATE.FL.US>
To: glenfede@yahoo.com
Cc: Eric Fryson <EFryson@PSC.STATE.FL.US>
Sent: Monday, July 30, 2012 4:33 PM
Subject: FW: PETITION TO INTERVENE OF GLEN GIBELLINA

Mr. Gibellina:

We have received the attachments referenced in your e-filing below. Please note that per Commission e-filing requirements, any attachments must be included in the electronic document (cover letter, petition, certificate of service, etc.) to which it relates, and shall not be submitted as a separate attachment to the email. In other words, if the cover letter mentions attachments, those attachments need to be included with the cover letter (one attachment to the e-mail), rather than two separate documents/attachments to the e-mail. A link to the Commission's e-filing requirements is included for your convenience:

<http://www.floridapsc.com/dockets/e-filings/>

Your filing will need to be revised and resubmitted in order to be eligible for electronic filing.

Dorothy Menasco
Florida Public Service Commission
Office of Commission Clerk
850-413-6770

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

From: Glen Gibellina [mailto:glenfede@yahoo.com]
Sent: Monday, July 30, 2012 4:23 PM
To: Filings@psc.state.fl.us
Cc: Glen Gibellina
7/30/2012

DOCUMENT NUMBER - DATE
05090 JUL 30 09
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Subject: PETITION TO INTERVENE OF GLEN GIBELLINA

Thank you for your time and consideration in this matter.
Glen Gibellina

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----- Forwarded Message -----

From: Glen Gibellina <glenfede@yahoo.com>
To: "contact@psc.state.fl.us" <contact@psc.state.fl.us>
Sent: Monday, July 30, 2012 4:18 PM
Subject: PETITION TO INTERVENE OF GLEN GIBELLINA

Glen Gibellina

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----- Forwarded Message -----

From: Glen Gibellina <glenfede@yahoo.com>
To: ""cklancke@psc.state.fl.us"" <cklancke@psc.state.fl.us>; ""kyoung@psc.state.fl.us"" <kyoung@psc.state.fl.us>;
"mbrown@psc.state.fl.us" , " <mbrown@psc.state.fl.us>; "Kelly.jr@leg.state.fl.us" , " <Kelly.jr@leg.state.fl.us>;
"mcglothlin.joseph@leg.state.fl.us" , " <mcglothlin.joseph@leg.state.fl.us>; "Rehwinkel.charles@leg.state.fl.us" ,
<Rehwinkel.charles@leg.state.fl.us>; "Christensen.Patty@leg.state.fl.us" , " <Christensen.Patty@leg.state.fl.us>;
""Noriega.tarik@leg.state.fl.us"" <Noriega.tarik@leg.state.fl.us>; "Merchant.Tricia@leg.state.fl.us" ,
<Merchant.Tricia@leg.state.fl.us>; ""vkaufman@moylelaw.com"" <vkaufman@moylelaw.com>; ""jmoyle@moylelaw.com""
<jmoyle@moylelaw.com>; "schef@gbwlegal.com" , " <schef@gbwlegal.com>; ""jlavia@gbwlegal.com"" <jlavia@gbwlegal.com>;
""kwiseman@andrewskurth.com"" <kwiseman@andrewskurth.com>; "msundback@andrewskurth.com" ,
<msundback@andrewskurth.com>; ""lpurdy@andrewskurth.com"" <lpurdy@andrewskurth.com>;
""wrappolt@andrewskurth.com"" <wrappolt@andrewskurth.com>; ""priphey@andrewskurth.com"" <priphey@andrewskurth.com>;
""jwhendricks@sti2.com"" <jwhendricks@sti2.com>; "danlarson@bellsouth.net" , " <danlarson@bellsouth.net>;
""saporito3@gmail.com"" <saporito3@gmail.com>; ""Paul.woods@algenol.com"" <Paul.woods@algenol.com>;
""Quang.ha@algenol.com"" <Quang.ha@algenol.com>; ""Pat.ahlm@algenol.com"" <Pat.ahlm@algenol.com>;
"bgarner@ngnlaw.com" , " <bgarner@ngnlaw.com>; ""barmstrong@ngnlaw.com"" <barmstrong@ngnlaw.com>; ""Butler, John""
<John.Butler@fpl.com>; "Ken.hoffman@fpl.com" <Ken.hoffman@fpl.com>; "Wade.litchfield@fpl.com" <Wade.litchfield@fpl.com>;
"Karen.white@tyndall.af.mil" <Karen.white@tyndall.af.mil>; "Samuel.miller@tyndall.af.mil" <Samuel.miller@tyndall.af.mil>
Cc: Glen Gibellina <glenfede@yahoo.com>
Sent: Sunday, July 29, 2012 5:14 PM
Subject: PETITION TO INTERVENE OF GLEN GIBELLINA

Please accept this filing of my Petition to Intervene in lieu of my filing submitted after 5pm on Friday, July 27, as this corrects several clerical errors.

7/30/2012

Thank you,

Glen Gibellina

A. Person responsible for this electronic filing:

Glen Gibellina
7106 28th Street East
Sarasota, FL 34243
glenfede@yahoo.com
941-296-5489

B. Docket No.: 120015-EI

In Re: Petition for Increase in Rates by Florida Power & Light Company

C. Document is being filed on behalf of Glen Gibbellina

D. There are a total of 5 pages in the attached document.

E. The document attached for electronic filing is Petition to Intervene of Glen Gibbellina

Glen Gibellina
7106 28th Street East
Sarasota, FL 34243
glenfede@yahoo.com
941-296-5489

Glen Gibellina

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7/30/2012

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Thank you,

Glen Gibbelina

A. Person responsible for this electronic filing:

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7106 28th Street East
Sarasota, FL 34243
glenfede@yahoo.com
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C. Document is being filed on behalf of Glen Gibbelina

D. There are a total of 5 pages in the attached document.

E. The document attached for electronic filing is Petition to Intervene of Glen Gibbellina

Glen Gibellina
7106 28th Street East
Sarasota, FL 34243
glenfede@yahoo.com
941-296-5489

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Increase in Rates by)
Florida Power & Light Company)
_____)

DOCKET NO. 120015-EI
FILED: JULY 30, 2012

PETITION TO INTERVENE OF GLEN GIBELLINA

Pursuant to sections 120.569, 120.57, 366.041, and 366.06, Florida Statutes; and Rules 25-22.039, 28-106.201, and 28-106.205, Florida Administrative Code, Petitioner files this Petition to Intervene. In support thereof, Petitioner states the following:

1. **Name and address of the affected agency:**

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

2. **Name and address of the Petitioner:**

Glen Gibellina
7106 28th Street East
Sarasota, FL 3424

3. **Service:** All pleadings, motions, orders and other documents directed to Petitioner should be served on :

Glen Gibellina
7106 28th Street East
Sarasota, FL 34243
glenfede@yahoo.com
941-296-5489

4. **Notice of Docket:** Petitioner received notice of this docket by reviewing the above captioned docket on the Florida Public Service Commission (FPSC) website.

5. **Statement of Substantial Interests:** Petitioner is a residential customer of Florida Power & Light Company (FPL) and is served at the above listed address. Petitioner also operates a residential Condominium as a seasonal rental property and has an FPL account at that property for a total of two FPL bills a month. Petitioner states that the FPL electric bill at this property has a direct effect on the

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rental rate that the property can be rented for, and the ease with which the property can be rented when vacant. There are also times when the property is vacant during which Petitioner does pay the electric bill, and during those times Petitioner is paying two monthly FPL electric bills. These two monthly FPL electric bills that Petitioner pays are a significant expense to Petitioner. Petitioner has a substantial interest in the above captioned docket as approval of the petition will increase Petitioner's electric rates and monthly customer charges.

Based upon the above, Petitioner hereby files a Petition to Intervene in the above captioned docket to protect his substantial interests and due process rights in the proceeding.

6. Disputed Issues of Material Fact: Disputed issues of material fact include, but are not limited to the following:

- a. Is the FPL proposed rate increase fair, just and reasonable?
- b. Does the FPL rate comparison argument provide a legal basis to increase rates?
- c. Is the FPL proposed Return on Equity reasonable?
- d. Is the executive compensation recovered in rates fair, just and reasonable?
- e. Is the allocation of costs recovered in rates fair, just and reasonable?
- f. What are the appropriate depreciation rates for FPL
- g. Is the FPL solar rebate allotment enough to cover customer demand?
- h. Is the time limit to apply for FPL solar rebates fair and adequate?

7. Disputed Legal Issues: Disputed legal issues include, but are not limited to, the following:

- a. Has FPL established the need for rate relief?
- b. Has FPL established that its requested return on equity is just and reasonable?

8. Statement of Ultimate Facts Alleged: Ultimate facts include, but are not limited to, the following: The rate increase that FPL has requested is unreasonable and should be denied.

9. Rules and Statutes Justifying Relief: The rules and statutes that entitle Glen Gibellina to intervene and participate in this case include, but are not limited to:

- a. Section 120.569, Florida Statutes
- b. Section 120.57, Florida Statutes
- c. Section 366.04(1), Florida Statutes
- d. Section 366.06, Florida Statutes
- e. Rule 25-22.039 Florida Administrative Code
- f. Rule 28-106.201 Florida Administrative Code
- g. Rule 28-106.205 Florida Administrative Code

10. Relief: Petitioner requests that he be permitted to intervene as a full party in this docket.

WHEREFORE, Petitioner requests that the Commission enter an order allowing Petitioner to intervene and participate as a full party in this docket.

s/ Glen Gibellina

Glen Gibellina
7106 28th Street East
Sarasota, FL 34243
glenfede@yahoo.com
941-296-5489

CERTIFICATE OF SERVICE

Docket No. 120015-EI

I HEREBY CERTIFY that a true and correct copy of PETITION TO INTERVENE OF GLEN GIBBELINA has been furnished by electronic mail this 29th day of July 2012, to the following:

Caroline Klancke, Esquire
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s/ Glen Gibellina

Glen Gibellina
Petitioner